

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In re: RONALD J. ZANSKI AND VIVIAN L. ZANSKI, Debtor, HUDSON & KEYSE, L.L.C., Movant/Claimant, v. RONALD J. ZANSKI AND VIVIAN L. ZANSKI, and RONDA J. WINNECOUR, Ch. 13 Trustee Respondents	Bankruptcy No. 10-20178-GLT Chapter 13 Related to Doc. No. 127
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MOTION FOR ORDER DIRECTING PAYMENT OF FUNDS TO CLAIMANT
PURSUANT TO 11 U.S.C. § 347 and 28 U.S.C. § 2041, et seq.

AND NOW, comes Claimant, Hudson & Keyse, L.L.C. (the “Claimant”), by and through its undersigned counsel, Bernstein-Burkley, P.C., and files this Motion for Order Directing Payment of Funds to Claimant Pursuant to 11 U.S.C. § 347 and 28 U.S.C. § 2041, et seq. (the “Motion”), representing as follows:

The Parties

1. Hudson & Keyse, L.L.C. is Limited Liability Company currently in Chapter 7 Bankruptcy in the Northern District of Ohio, Case Number 10-18846. True and correct copies of the W-9 form for Claimant are attached hereto as Exhibit A.

2. Respondents, Ronald J. Zanski and Vivian L. Zanski, filed for bankruptcy protection pursuant to Chapter 13 of the Bankruptcy Code on January 13, 2010.

3. Ronda J. Winnecour is the duly appointed Chapter 13 Trustee (“Trustee”) and is currently acting in such capacity.

Jurisdiction and Venue

4. This matter is a core proceeding and this Court has jurisdiction pursuant to 28 U.S.C. § 1334. Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409. Movant seeks relief pursuant to 11 U.S.C. §§ 347 and 350 and 28 U.S.C. § 2041, et seq.

Factual Background

5. On or about February 8, 2010, Claimant filed a Proof of Claim in the present bankruptcy in the amount of \$8,394.76 at Claim No. 5-1. A true and correct copy of the Proof of Claim is attached hereto as Exhibit B.

6. At the time the Proof of Claim was filed, Hudson & Keyse, L.L.C. was the owner of the claim.

7. Brian J. Dilks of Dilks & Knopik, LLC is an authorized collection agent for Hudson & Keyse, LLC, through Court Order. A true and correct copy of a document showing is attached hereto as Exhibit C.

8. The original dividend check was sent to a Hudson & Keyse LLC at PO Box 1090, Mentor, OH 44061. That address is no longer valid. A true and correct copy of a document showing they once used the address of record is attached hereto as Exhibit D.

9. On March 18, 2015, the Trustee filed a Hudson & Keyse Llc with the Clerk, U.S. Bankruptcy Court (the “Clerk”). The Trustee stated that the check represented unclaimed funds owed to Hudson & Keyse LLC. As shown above, Claimant is the owner of those funds. A true and correct copy of the Receipt is attached hereto as Exhibit E.

10. Claimant filed for Chapter 7 bankruptcy protection on 09/07/2010 and did not cash the \$7,671.9 referenced in the Report as being monies to be distributed to Claimant.

11. Pursuant to 11 U.S.C. § 347 and 28 U.S.C. §§ 2041 and 2042, Claimant requests that this Honorable Court issue an order directing payment by the Clerk to the Claimant in the amount of \$1,845.40 and further directing that payment be made in care of Dilks & Knopik, LLC.

WHEREFORE, Claimant, Hudson & Keyse, L.L.C., respectfully requests that this Honorable Court grant the Claimant's Motion for Order Directing Payment of Funds to Claimant.

Respectfully submitted,

BERNSTEIN-BURKLEY, P.C.

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Dated: May 14, 2015